HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.25559 of 2006

Dated:08.12.2006

Between:

C.Ramachandra Reddy and others.

…Petitioner

and

The District Collector and another.

…Respondents

HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.25559 of 2006

ORDER:

The petitioners are legal heirs of one late Eswara Reddy, who was allegedly in possession and enjoyment of land admeasuring Acs.31.50 cents in Survey No.1 (part) situated at Chiyyavaram Village of Thottambedu Mandal in Chittoor District. They approached the Settlement Officer for ryotwari patta under Section 11(a) of the Andhra Pradesh (Andhra Area) Estates (Abolition and Conversion into Ryotwari) Act, 1948 (for short 'the Act'), seeking patta. The same was rejected by the Joint Collector-cum-Settlement Officer by proceedings dated 04.02.2003. The petitioners preferred a revision under Section 5(2) of the Act before the Special Commissioner & Director of Settlements, who remanded the matter to the original authority. The matter is still pending before the authority as alleged by the petitioners. It is now further alleged that the subordinate officials of the second respondent without any further orders are trying to evict the petitioners. The petitioners therefore, seek an appropriate writ.

At the stage of admission itself, the learned Government Pleader for Revenue (General-A) submits that the Writ Petition is filed on a mere apprehension, and therefore, this Court observes that unless and until, appropriate orders are passed by the Joint Collector-cum-Settlement Officer in Roc.F6/1113/2005, dated 30.06.2005, the petitioners cannot be evicted. This observation would dispel any doubt in the mind of the subordinate officials of the second respondent.

The Writ Petition, with the above observations, is accordingly dismissed. No costs.

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(V.V.S.RAO, J)

08.12.2006

Note: Issue C.C in three days.

B/o.

vs